REMARKS

Claims 1-37 are pending and stand rejected. In response, claims 1, 4, 6-8, 10, 12-13, 15-17, 21, 24, 26-28, 30, 32-33, and 35-37 are amended, and claims 5, 14, 25, and 34 are canceled. Claims 1-4, 6-13, 15-24, 26-33, and 35-37 are pending upon entry of this amendment.

In order to expedite examination, the claim dependencies are amended to resolve possible antecedent basis issues not raised in the Office Action. These amendments do not alter the intended scope of the claims. In addition, the specification is amended to provide the application numbers of the related applications.

35 U.S.C. § 112 Rejection

Claims 4, 6, 10, 12, 13, 24, 26, 30, 32 and 33 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Specifically, the claims are allegedly indefinite for using the term "if." The Examiner asserts that "if" is a relative term that renders the claims indefinite. Furthermore, the Examiner states that the term "if" is considered alternative language, the specification does not provide a standard for ascertaining the requite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

While Applicants maintain that the claims were sufficiently definite as filed, Applicants have amended the claims to recite "when" instead of "if." Applicants submit that the amended claims are sufficiently definite to comply with § 112, second paragraph. If the Examiner maintains this rejection, Applicants respectfully request that the Examiner provide a more detailed explanation of the basis for the rejection in order to allow Applicants to fully address the Examiner's concerns.

35 U.S.C. § 101 Rejection

Claims 1-37 stand rejected under 35 U.S.C. § 101 because the claimed invention allegedly lacks patentable utility. The Examiner asserts that claims 1-37 recite a method for obtaining, providing, and possibly updating content. The Examiner further asserts that the method fails to produce a tangible and useful result from the processed information, and is merely the manipulation of an abstract idea.

Applicants initially note that the Examiner has improperly categorized the claimed invention. While claims 1-20 describe a method, claims 21-37 recite a tangible computer-readable medium on which is encoded computer program code. Furthermore, Applicants have amended independent claims 1 and 21 to recite updating the content display responsive to a positive determination to do so. This updating constitutes a useful, concrete, and tangible result and represents a practical application of the claimed invention to produce a real-world result. For example, the updating may occur in situations where it is not distracting to a user of a client. (See, e.g., paragraph 0094 of the Specification). Therefore, Applicants respectfully submit that the claims, as amended, recite statutory subject matter under § 101.

35 U.S.C. § 103 Rejections

Claims 1-6, 9-11, 14-26, 29-31, and 34-37 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Travis (US Patent Application No. 20040215607) in view of Linden (US Patent Application No. 20020019763). Furthermore, claims 7-8 and 27-28 stand rejected under § 103(a) as being unpatentable over Travis in view of Linden, and further in view of Barrett (US Patent Application No. 20030135490). Claims 12-13 and 32-33, in turn, stand

rejected under § 103(a) as being unpatentable over Travis in view of Linden, and further in view of Petropoulos (US Patent No. 7,047,502).

Applicants have amended independent claims 1 and 21 to incorporate limitations previously recited by claims 5 and 25. Applicants respectfully traverse the rejections as applied to the amended claims.

Claim 1, as amended, recites determining whether to update a content display based on a comparison between a current search query and a previous search query. Specifically, claim 1 recites a method comprising:

> obtaining from an index a search result associated with a current search query, the search result comprising a first article identifier;
> providing a content display comprising a second article identifier;
> determining whether to update the content display with the search result, the determining comprising **comparing the current search query to a previous search query associated with the content display**…

The claimed method thus describes a search result associated with a current search query and a content display associated with a previous search query. The method determines whether to update the content display with the search result, and this determination comprises comparing the current search query to the previous search query. The claimed invention is beneficial, for example, because it avoids updating the display in situations where it is more distracting than useful to do so. Claims 6-8 recite further details of the query comparison. Claims 21 and 26-28 recite similar limitations.

Travis and Linden do not teach or suggest determining whether to update the content display as claimed. Travis discloses a method and system for blending search engine results from disparate sources into one search result. In the rejection of claim 1, the Examiner maintains that Travis discloses the content display at Fig. 1B, but acknowledges that Travis is silent with respect to determining whether to update the content display with the search result.

Nevertheless, in the rejection of claim 5 the Examiner states that Travis discloses determining whether to update the content display by comparing the current search query to a previous search query associated with the content display at paragraph 0031, lines 18-31. This portion, however, merely describes how Travis's system can send a single query to multiple search engines. For example, Travis's system sends a Chinese language-based query to a source having a database indexing documents in that language. Travis neither teaches nor suggests the concept of current and previous search queries, and likewise neither teaches nor suggests determining whether to update the content display by comparing the current search query to a previous search query, as claimed.

Linden does not remedy the deficiencies of Travis. Linden discloses using product viewing histories of users to identify related products. In the rejection of claim 1, the Examiner states that Linden discloses updating the content display at paragraph 0195. This paragraph describes how a user can use a checkbox to deselect a recommended item, and then select an "update page" button to view a refined list of recommendations. Linden neither teaches nor suggests updating a display based on a determination comparing previous and current search queries, as claimed. Accordingly, Applicants respectfully submit that a person of ordinary skill in the art, considering the teachings of Travis and Linden, would have found the claimed invention obvious because neither reference discloses or suggests updating a content display as claimed.

Claims 6 and 26 respectively depend from claims 1 and 21. Claim 6 recites updating the content display when the "current search query and the previous search query differ by more than a predetermined percentage or amount." Claim 26 recites a similar limitation.

Claims 6 and 26 are primarily rejected based on paragraph 0081 of Linden. However, this paragraph describes determining relationships between popular items that are offered as purchase recommendations. Neither the cited portion, nor the remainder of Linden, discloses determining whether search queries differ by more than a predetermined percentage or amount. Accordingly, Applicants respectfully submit that a person of ordinary skill would not have found claims 6 and 26 obvious in view of the cited references.

Claims 7 and 27 recite that comparing the current search query to the previous search query comprises "determining whether each term in the current search query is also in the previous search query." Here, the Examiner states that Travis and Linden are silent with respect to this limitation but asserts that Barrett shows the claimed determination at paragraph 0034, lines 7-14.

Barrett discloses a method of producing popularity rankings for web sites and other information in a database. Generally, Barrett's method monitors web sites selected by a user from a list of results in order to determine popularity. The method can also observe information such as the summary of the web site presented in the search results and the query entered by the user. (See paragraph 0012). The cited portion of paragraph 0034 describes how Barrett's method uses statistical methods, including adaptive and blended inflation approaches, to measure the changes to certain information's popularity over time.

Barrett does not determine whether each term in a current search query is also in a previous search query, as claimed. Rather, Barrett accumulates statistical information about usage of information in a database, including information about the queries used to access the database. Barrett does not compare two particular queries to determine whether they contain the same terms as recited in claims 7 and 27. Furthermore, Barrett does not remedy the deficiencies

of Travis and Linden described above with respect to independent claims 1 and 21. Accordingly, a person of ordinary skill in the art, considering the teachings of Travis, Linden, and Barrett would not have found the invention of claims 1, 7, 21, and 27 obvious.

Petropoulos does not remedy the deficiencies of Travis, Linden, and Barrett described above. Generally, Petropoulos describes a way to display previews of information when a mouse cursor is over a particular region of a display. Petropoulos does not teach or suggest determining whether to update a content display by comparing a current search query to a previous search query as claimed.

Accordingly, a person of ordinary skill in the art considering the teachings of Travis, Linden, Barrett, and Petropoulos, either alone or in combination, would not have found the claimed invention obvious. The cited references neither teach nor suggest determining whether to update a content display, the determining comprising "comparing the current search query to a previous search query associated with the content display," as claimed. The dependent claims not specifically mentioned above incorporate the limitations of their respective base claims and are not obvious for at least the same reasons. Therefore, Applicants respectfully request allowance of this application. The Examiner is invited to contact the undersigned by telephone to advance the prosecution of this application.

Respectfully submitted,

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